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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/715,382

11/19/2003

Roy Kaufmann

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EXAMINER

DINH, KHANH Q

ART UNIT

PAPER NUMBER

2151

MAIL DATE

DELIVERY MODE

10/05/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/715,382	Applicant(s) KAUFMANN ET AL.	
	Examiner Khanh Dinh	Art Unit 2151	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 May 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>5/6/05, 8/2/04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-26 are presented for examination.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-26 are rejected under 35 U.S.C. 102(e) as being anticipated by
England, US pat. No.6,144,991.

As to claim 1, England discloses a method in a data processing system, comprising the steps of:

recording a media stream and receiving a request during the recording to add notes to the media stream at a particular time (enhancement of live television and radio event over the web, see fig.5, col.11 line 21 to col.12 line 36);

adding the notes to the media stream by synchronizing the notes to the media stream at the requested particular time, playing the recorded media stream and displaying the notes during the playing of the recorded media stream at the particular time (see col.12 line 37 to col.13 line 22 and col.14 lines 15-46).

As to claims 2 and 3, England discloses annotating an image with text and editing the notes (see col.14 lines 1-46).

As to claims 4-6, England discloses importing the notes to be added to the media stream and printing the added notes and entering the notes using voice recognition (see col.14 lines 1-46 and col.16 line 33 to col.17 line 42).

Claims 7-10 are rejected for the same reasons set forth in claims 1, 1-3 respectively.

Claims 11-17 are rejected for the same reasons set forth in claims 1-6 and 1 respectively.

As to claim 18, England discloses a method in a data processing system, comprising the steps of: playing a media stream having one or more notes synchronized to the media stream at a particular time (enhancement of live television and radio event over the web including playbacks, see fig.5, col.11 line 21 to col.12 line 36); receiving a request to edit one of the notes in the media stream; and editing the requested one of the notes while retaining the synchronization of the notes at the particular time in the media stream (see col.12 line 37 to col.13 line 22 and col.14 lines 15-46).

As to claim 19, England discloses playing the media stream and displaying the edited notes during the playing of the media stream at the particular time they were synchronized to the media stream (see col.12 line 37 to col.13 line 22 and col.14 lines

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15-46).

As to claim 20, England discloses adding notes to the media stream during recording via a graphical user interface, and wherein the step of editing the requested notes further comprises: editing the requested notes via the graphical user interface (see col.14 lines 1-46 and col.16 line 33 to col.17 line 42).

Claims 21-23 are rejected for the same reasons set forth in claims 18-20 respectively.

Claims 24-26 are rejected for the same reasons set forth in claims 18-20 respectively.

Other prior art cited

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- a. Bose et al, US pub. No.20020042830.
- b. Brown et al, US pat. No.6,385,652.
- c. Angel et al, US pub. No.20020133392.
- d. Barton, US Pub. No.20020046074.
- e. Sendowski et al. US pub. No.2003/0198934.

Conclusion


5. Claims 1-46 are rejected.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khanh Dinh whose telephone number is (571) 272-3936. The examiner can normally be reached on Monday through Friday from 8:00 A.m. to 5:00 P.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Zarni Maung, can be reached on (571) 272-3939. The fax phone number for this group is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any response to this action should be mailed to:
Commissioner for patents
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Alexandria, VA 22313-1450


KHANH DINH
PRIMARY EXAMINER
TECHNOLOGY CENTER 2100